

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

-----X	:	
ARY JEWELERS, LLC,	:	
	:	
Plaintiff,	:	
	:	Civil Action No. 04-cv-10281-EFH
v.	:	
	:	
IBJTC BUSINESS CREDIT CORP.	:	
and DAVID MOLINARIO,	:	
	:	
Defendants.	:	
-----X	:	

**AFFIRMATION OF CHRISTOPHER DILLON**

I, CHRISTOPHER DILLON, hereby affirm as follows:

1. I am an attorney at the law firm of Ropes & Gray LLP, counsel to defendants in this action. I submit this affidavit in support of defendant's *Motion to Strike Expert Report and to Enter Judgment Dismissing the Sole Remaining Count of the Second Amended Complaint*, and in order to transmit to the Court the documents appended hereto.
2. Attached hereto as Exhibit A is a true and correct copy of the Court's February 7, 2006 order denying summary judgment as to Count I.
3. Attached hereto as Exhibit B is a true and correct copy of the Expert Report of Shirley Webster dated July 27, 2005.

4. Attached hereto as Exhibit C is a true and correct copy of a document authored by Gohar Husain of ARY and sent by fax to Abdul Razzak of ARY, dated March 21, 2001. The authenticity of this document has previously been stipulated by plaintiff.

5. Attached hereto as Exhibit D is a true and correct copy of a portion of the deposition transcript of Abdul Razzak, taken on May 10, 2005.

6. Attached hereto as Exhibit E is the Affidavit of Max Jevinsky, an attorney for ARY, which was signed in *M. Fabrikant & Sons, Inc. v. ARY Jewelers, LLC*, Civil Action No. 01-0671, a case previously litigated by ARY in the United States District Court for the Western District of Missouri.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 15th DAY OF SEPTEMBER, 2006.

/s/ Christopher Dillon

Christopher Dillon